From: Tomiak, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E43D67FE354A4D06BE80AFA6EB65E614-TOMIAK, ROB]

**Sent**: 4/20/2017 5:15:12 PM

To: Johnson, Kathleen [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=d36de0cd8ee14ff6a6aa2f1df9b159f6-KJOHNS05]

Subject: RE: R9 weekly report

Kathleen,

I have a few thoughts and suggestions to offer. First and foremost, I appreciate the recognition that this needs to be a

# **Deliberative Process / Ex. 5**

## **Deliberative Process / Ex. 5**

Jose Liust den't think this preject is that some. This is the year first preject for a new Administrator and his tes

## **Deliberative Process / Ex. 5**

Thanks, Rob

From: Johnson, Kathleen

**Sent:** Wednesday, April 19, 2017 9:02 PM **To:** Tomiak, Robert <tomiak.robert@epa.gov>

Cc: Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>

Subject: RE: R9 weekly report

## **Deliberative Process / Ex. 5**

#### **Deliberative Process / Ex. 5**

We have scheduled a briefing for you on this matter for Tuesday morning. If you want read ahead materials, your staff (Elaine Suriano) has a copy of the draft referral we put together several weeks ago. If you deem it timely to bring in Larry, Mike and Alexis at this point, we are happy to accommodate but will need some assistance with scheduling.

Kathleen H. Johnson
Director, Enforcement Division
U.S. EPA - Region 9
75 Hawthorne Street ENF-1
San Francisco, CA 94015
415/972-3873
johnson.kathleen@epa.gov

From: Tomiak, Robert

Sent: Wednesday, April 19, 2017 3:30 PM

To: Johnson, Kathleen < Johnson. Kathleen@epa.gov>

Cc: Moutoux, Nicole < Moutoux Nicole@epa.gov >; Knight, Kelly < knight.kelly@epa.gov >; Marshall, Tom

<marshall.tom@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>;

Goodin, John < Goodin. John @epa.gov >

Subject: Re: R9 weekly report

If referral, we need a draft letter by COB tomorrow to start staffing/vetting here.

Rob

On Apr 19, 2017, at 6:13 PM, Tomiak, Robert <tomiak.robert@epa.gov> wrote:

Including Mindy and John from OW. If you are leaning toward referral, we can't wait until next week. I suggest a coordination call with us and OW soonest to lay out your thoughts and options.

Thanks, Rob

On Apr 19, 2017, at 5:38 PM, Johnson, Kathleen <a href="mailto:Johnson.Kathleen@epa.gov">Johnson.Kathleen@epa.gov</a> wrote:

Jason reports that the groundwater technical meeting yesterday was a rehash of existing information. Nothing new was presented. We will be updating our RA on Friday. We will try to set up a briefing for you on this early next week and would be happy to have anyone from OW also participate.

Kathleen H. Johnson
Director, Enforcement Division
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75 Hawthorne Street ENF-1
San Francisco, CA 94015
415/972-3873
johnson.kathleen@epa.gov

From: Tomiak, Robert

Sent: Wednesday, April 19, 2017 6:51 AM

To: Johnson, Kathleen < Johnson. Kathleen@epa.gov>

Cc: Moutoux, Nicole < Moutoux. Nicole@epa.gov>; Knight, Kelly < knight.kelly@epa.gov>;

Marshall, Tom <marshall.tom@epa.gov>

Subject: RE: R9 weekly report

Kathleen,

We need an update please. I have conferred with our OW counterparts, and can share that outcome as well. Let's set up a coordination call/brief for this afternoon, or tomorrow morning your time.

Thanks, Rob

From: Johnson, Kathleen

Sent: Monday, April 17, 2017 1:05 PM

To: Strauss, Alexis < Strauss. Alexis@epa.gov >; Tomiak, Robert < tomiak.robert@epa.gov >

**Cc:** Starfield, Lawrence <<u>Starfield.Lawrence@epa.gov</u>>; Cozad, David <<u>Cozad.David@epa.gov</u>>; Moutoux, Nicole <<u>Moutoux.Nicole@epa.gov</u>>

Subject: RE: R9 weekly report

Also, FYI, we do not believe that the Army Corp is necessarily moving toward granting the permit. That is yet to be seen. Also, please note that the sufficiency of the mitigation proposed has been the central issue we have been discussing on this matter for over three years.

Kathleen H. Johnson
Director, Enforcement Division
U.S. EPA - Region 9
75 Hawthorne Street ENF-1
San Francisco, CA 94015
415/972-3873
johnson.kathleen@epa.gov

From: Strauss, Alexis

Sent: Monday, April 17, 2017 9:56 AM

**To:** Tomiak, Robert <<u>tomiak.robert@epa.gov</u>>; Johnson, Kathleen

<Johnson.Kathleen@epa.gov>

Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Cozad, David

<<u>Cozad.David@epa.gov</u>> **Subject:** RE: R9 weekly report

I suggest involving the Water programs (Tomas Torres, Jason Brush) after this week's Rosemont meeting, when new info is available. I don't need to be part of that update.

Alexis Strauss Acting Regional Administrator E.P.A. Region 9 75 Hawthorne Street San Francisco, CA 94105 415-972-3572

From: Tomiak, Robert

Sent: Monday, April 17, 2017 9:52 AM

To: Strauss, Alexis < <a href="mailto:Strauss.Alexis@epa.gov">Strauss, Alexis@epa.gov</a>; Johnson, Kathleen

<Johnson.Kathleen@epa.gov>

Cc: Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Cozad, David

<<u>Cozad.David@epa.gov</u>> **Subject:** RE: R9 weekly report

Alexis/Kathleen,

Thanks for sharing the undate. I think your staff did a great ioh of cuing un the issues:

## **Deliberative Process / Ex. 5**

Larry and I think it would be helpful for a quick coordination call on this. What is your availability today?

Thanks, Rob

From: Strauss, Alexis

Sent: Monday, April 17, 2017 12:06 PM

To: Johnson, Kathleen < Johnson. Kathleen@epa.gov >; Tomiak, Robert

<tomiak.robert@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>

Subject: R9 weekly report

From: Strauss, Alexis

Sent: Thursday, April 13, 2017 5:08 PM

To: Weekly Report Group < Weekly Report Group@epa.gov>

**Cc:** Nishida, Jane < Nishida.Jane@epa.gov>; Shapiro, Mike < Shapiro.Mike@epa.gov>; Breen, Barry < Breen.Barry@epa.gov>; Dunham, Sarah < Dunham.Sarah@epa.gov>

Subject: R9 weekly report

#### **HOTISSUES**

1. SAN DIEGO / TIJUANA SEWAGE SPILL: (FYI) next Wednesday, April 19,

### **Deliberative Process / Ex. 5**

2. ROSEMONT (AZ) COPPER MINE: (FYI) next Tuesday, April 18 in Phoenix, EPA will join the US Forest Service and the Corps of Engineers to discuss water quality and other issues related to the proposed Rosemont copper mine, which we have reviewed under NEPA and CWA. The Forest Service will issue its Record of Decision in May, the Corps its CWA 404 decision some time thereafter. CEQ has been coordinating the multi-agency engagement. I attach a one-page briefing paper and will update Ken W, OW and OECA when EPA decision time nears.

1. AQUIFER EXEMPTION (SDWA UIC), KERN COUNTY, CA: next week I'll

#### **Deliberative Process / Ex. 5**

APPROVE ARIZONA REGIONAL HAZE SIP: next week I plan to sign a

### **Deliberative Process / Ex. 5**

3. COACHELLA OZONE: next week I plan to sign a Federal Register notice

Deliberative Process / Ex. 5

#### HIGHLIGHTS OF THE PAST WEEK

PBF REFINERY (CAA 112r): following our issuance of our CAA 112 r

### **Deliberative Process / Ex. 5**

2. BAY AREA EMISSIONS BANKING RULE: we received an extension of the

Deliberative Process / Ex. 5

Thanks to Ken Wagner for a very pleasant and informative visit last

**Deliberative Process / Ex. 5** 

#### **PUBLIC EVENTS**

Brownfields / City of Phoenix, AZ: (FYI) on April 19th and 20th we'll participate in two Brownfield events in Phoenix, to celebrate completion of 171,640 sq ft industrial warehouse space on a 10-acre brownfields property where the Phoenix Police Department leases 43,200 sq ft . EPA provided \$350K in 2000, working with partners (AZ Dept.of Environmental Quality, the City of Phoenix, and private industry) to remove over 6,000 tons of waste from an abandoned metal salvage yard in this EJ community. The second event will celebrate the completion of the Quincea Working Group Food Hub, which will provide a significant influx of freshly harvested food products into the South Phoenix community, a USDA-designated Food Desert. Quincea will

educate and train community members on nutrition and cooking via a demonstration farm, a food hub, and a farm stand where products will be sold and SNAP payment accepted. Agricultural vocational training, employment opportunities, and entrepreneurial mentorship will be provided to developmentally disabled adults and veterans. The City of Phoenix used \$24K of EPA Brownfields grant funding to complete this project.

Brownfields / City of National City, CA: (FYI) on April 18, we'll attend a community event to celebrate transforming a former brownfield site into homes for hundreds of families, while protecting a nearby wetland and creating a new park. The City used a \$400,000 USEPA brownfields grant to assist with the remediation, adding over \$21M in redevelopment funds and leveraging an additional \$60M in State and other funds to complete the project. The project marks one of the largest investments and most significant increases in residential use in the City. We'll give you ample notice of an event next year: groundbreaking for the new park.

Kind regards, Alexis

Alexis Strauss Acting Regional Administrator E.P.A. Region 9 75 Hawthorne Street San Francisco, CA 94105 415-972-3572